

Minutes

Sacramento Suburban Water District Regular Board Meeting Monday, April 18, 2022

Location:

3701 Marconi Avenue, Suite 100, Sacramento, CA 95821, Audio Conference at 1-669-900-6833, and Video Conference using Zoom at Meeting Id #868 1816 5063

Call to Order

President Locke called the meeting to order at 6:00 p.m.

Pledge of Allegiance

President Locke led the Pledge of Allegiance.

Roll Call

Directors Present: Jay Boatwright, Dave Jones, Craig Locke, Kevin Thomas, and Robert Wichert.

Directors Absent: None.

Staff Present: General Manager Dan York, Assistant General Manager Matt Underwood, Heather Hernandez-Fort, Jeff Ott, Dana Dean, Todd Artrip, Greg Bundesen, and Julie Nemitz.

Public Present: William Eubanks, Legal Counsel Tim Sloane, Legal Counsel Yumehiko Hoshijima, Ken Payne, Tony Barela, Paul Helliker, and Legal Counsel Josh Horowitz.

Action Item

1. a. **AB 361 Findings to Continue Permitting Director Remote Participation in Board Meetings**

Director Thomas moved to approve Item 1 a.; President Locke seconded. The motion passed by unanimous vote.

AYES:	Boatwright, Jones, Locke, Thomas, and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

- b. **Discussion of Board's Continuation of AB 361 Findings to Permit Director Remote Participation in Board Meetings**

District Legal Counsel Josh Horowitz (Mr. Horowitz) presented the staff report and answered clarifying questions.

Director Wichert expressed he was interested in keep the option for Directors to attend the Board meeting virtually, should a Director become ill or unable to attend in person.

President Locke expressed he additionally supported keeping the option for Directors to attend virtually.

Director's Thomas and Jones supported removing this item from the agenda.

Director Boatwright echoed President Locke's views.

President Locke requested to place the item on the Consent Agenda going forward, and requested staff revisit the topic in an upcoming meeting of the Board for any changes or updates.

Announcements

None.

Public Comment

Ken Payne (Mr. Payne) expressed his concerns about depressions in the street in front of the 4848 Arden Way and 1636 Copenhagen Way, and requested staff send someone to look at it.

General Manager Dan York (GM York) requested Mr. Payne provide his contact information to staff so that they can look into his request.

Consent Items

2. **Minutes of the March 21, 2022, Special Board Meeting**
3. **Minutes of the March 21, 2022, Regular Board Meeting**
4. **Minutes of the April 4, 2022, Special Board Meeting**
5. **Treasurer's Report**
6. **Policy Review – Disposing of Surplus District Real Property, Vehicles, and Large Equipment and Other Personal Property Policy (PL - Adm 003)**
7. **Policy Review - Information Technology/Disaster Recovery Policy (PL - IT 004)**
8. **Resolution No. 22-07, Honoring Jerald R. Beams On His Retirement**
9. **Resolution No. 22-08, Honoring Rachel Middlestead on Her Retirement**

10. **Resolution No. 22-09 Supporting the Regional Water Authority’s Request for a One Time State Budget Appropriation of \$16.7 Million to Fund Multi-Benefit Water Infrastructure Projects**

Director Wichert requested to pull Items 3 and 7 for discussion.

Director Wichert moved to approve all Consent Items, except 3 and 7; Director Thomas seconded. The motion passed by unanimous vote.

AYES:	Boatwright, Jones, Locke, Thomas, and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

Regarding Item 3, Director Wichert inquired when the Directors’ Compensation and Expense Reimbursement Policy would be coming back for Board discussion.

GM York expressed it would be back at the May regular Board meeting.

Regarding Item 7, Director Wichert inquired if there were any recommended changes to the Information Technology/Disaster Recovery Policy, as he felt it was not completely up to date.

GM York expressed there was a Procedure to the Policy that went into further details.

Director Wichert requested to table the Item, as he would like staff to provide additional information on cyber security.

President Locke moved to approve Item 3; Director Wichert seconded. The motion passed by unanimous vote.

AYES:	Boatwright, Jones, Locke, Thomas, and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

Items for Discussion and/or Action

11. **San Juan Water District Hinkle Reservoir Relining Project**

Assistant General Manager Matt Underwood (AGM Underwood) presented the staff report and introduced Paul Helliker (Mr. Helliker) and Tony Barela (Mr. Barella) with the San Juan Water District (SJWD).

Mr. Helliker expressed his appreciation to the District for assisting with the project.

Tony Barela presented the PowerPoint presentation and answered clarifying questions.

GM York commended Mr. Barela and AGM Underwood for their leadership during the project, noting it is a very critical project, and their teamwork has been great.

Mr. Barela expressed the District’s operations team was fantastic, noting their communication and collaboration efforts were very much appreciated.

12. Resolution No. 22-10 Calling for the November 8, 2022 District Election

GM York presented the staff report.

President Locke moved to approve the staff recommendation; Director Thomas seconded. The motion passed by unanimous vote.

AYES:	Boatwright, Jones, Locke, Thomas, and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

13. Social Media Engagement

Jeff Ott (Mr. Ott) presented the staff report and answered clarifying questions.

Director Wichert moved to approve the staff recommendation.

President Locke asked clarifying questions and expressed support for a Public Information Officer for the District.

Greg Bundesen provided additional information and some background on the staff report and answered clarifying questions.

GM York expressed staff wanted to start at a minimal level to monitor customer engagement and bring it back to the Board if increased involvement was needed.

Director Thomas seconded the motion. The motion passed by unanimous vote.

AYES:	Boatwright, Jones, Locke, Thomas, and Wichert.	ABSTAINED:	
NOES:		RECUSED:	
ABSENT:			

President Locke requested staff bring back an update to the Board in roughly 6 months.

General Manager’s Report

14. General Manager’s Report

GM York presented the staff report and answered clarifying questions.

- a. *National Special Districts Working Group to Address Water Infrastructure and Fire Flows*
A written report was provided.

Department/Staff Reports

15. Financial Report

Mr. Ott presented the staff report and answered clarifying questions.

Director Wichert pointed out a typo on page 3 of the finance report.

Mr. Ott expressed he would correct the typo and send out a corrected financial report.

- a. *Draft Financial Statements*
A written report was provided.
- b. *Draft Financial Highlights*
A written report was provided.
- c. *Budgets*
A written report was provided.

16. District Activity Report

Todd Artrip presented the staff report and answered clarifying questions.

17. Engineering Report

Dana Dean presented the staff report and answered clarifying questions.

Director Wichert inquired about the status of the new CIP Policy, noting staff could just bring the Board a schedule.

AGM Underwood expressed staff was working on the draft policy.

Mr. Eubanks expressed he was experiencing sand in his water.

AGM Underwood expressed he would have staff look into his request.

- a. *Major Capital Improvement Program Projects*
A written report was provided.
- b. *Active Wells*
A written report was provided.
- c. *Planning Documents*
A written report was provided.

d. Other Projects

A written report was provided.

Information Items

18. **Executive Order N-7-22**

Mr. Bundesen presented the staff report and answered clarifying questions.

19. **Upcoming Water Industry Events**

A written report was provided.

20. **Upcoming Policy Review**

A written report was provided.

- a. Employee Recruitment, Hiring and Promotion (PL - HR 009)

Director's Reports (Per AB 1234, Directors will report on their meeting activities)

21. a. Regional Water Authority (Director Jones)

None.

Regional Water Authority Executive Committee (General Manager York)

The agenda for the March 23, 2022 Executive Committee Meeting was provided.

b. Sacramento Groundwater Authority (Director Thomas)

The agenda for the April 7, 2022 Board Meeting was provided.

c. Director Reports – AB 1234

Director Thomas provided an oral report of the LAFCo meeting he attended on March 2, 2022; the RWA Board meetings he attended on March 10, 2022, and March 23, 2022; the AeroJet CAG meeting he attended on March 16, 2022; the meeting he had with the General Manager on March 18, 2022; and the Groundwater Lunch Series meeting he attended on March 29, 2022.

Director's Comments/Staff Statements and Requests

None.

Closed Session (Closed Session Items are not open to the public)

The Board convened in Closed Session at 7:28 p.m. to discuss the following:

22. Conference with legal counsel – potential litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(4); consideration of initiating litigation involving the State Water Resources Control Board's proceedings related to the California Water Fix and the Bay-Delta Water Quality Control Plan Update.

23. Conference with legal counsel--existing litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(1); *Sacramento Suburban Water District v. United States*, United States Court of Federal Claims case no. 1:17-cv-00860-RHH, and *Sacramento Suburban Water District v. United States, et al.*, United States District Court for the Eastern District of California, case no. 2:17-cv-01353-TLN-AC.
24. Conference with legal counsel--existing litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(1); *Sacramento Suburban Water District vs. The Dow Chemical Company et al.*, San Bernardino Superior Court Case No. JCCPSS4435.
25. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(4); consideration of initiating litigation involving claims related to PFAS contamination.

Return to Open Session

The Board convened in Open Session at 7:49 p.m. There was no reportable action.

Adjournment

President Locke adjourned the meeting at 7:50 p.m.

Dan York
General Manager/Secretary
Sacramento Suburban Water District